

B1 (Official Form 1)(1/08)

United States Bankruptcy Court Eastern District of North Carolina				Voluntary Petition	
Name of Debtor (if individual, enter Last, First, Middle): Fayetteville Marketfair Investors, LLC			Name of Joint Debtor (Spouse) (Last, First, Middle):		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):			All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):		
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) 65-0749200			Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)		
Street Address of Debtor (No. and Street, City, and State): 6100 SW 76th Street Miami, FL			Street Address of Joint Debtor (No. and Street, City, and State):		
ZIP Code 33143			ZIP Code		
County of Residence or of the Principal Place of Business: Miami-Dade			County of Residence or of the Principal Place of Business:		
Mailing Address of Debtor (if different from street address):			Mailing Address of Joint Debtor (if different from street address):		
ZIP Code			ZIP Code		
Location of Principal Assets of Business Debtor (if different from street address above): Marketfair Mall 1912 & 1916 Skibo Rd. Fayetteville, NC 28303					
Type of Debtor (Form of Organization) (Check one box) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)		Nature of Business (Check one box) <input type="checkbox"/> Health Care Business <input checked="" type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other Tax-Exempt Entity (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding Nature of Debts (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.	
Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.			Chapter 11 Debtors Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).		
Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.					THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000					
Estimated Assets <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input checked="" type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion					
Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input checked="" type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion					

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Page 2

Voluntary Petition <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): Fayetteville Marketfair Investors, LLC	
All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)			
Location Where Filed: - None -	Case Number:	Date Filed:	
Location Where Filed:	Case Number:	Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)			
Name of Debtor: - None -	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) <input type="checkbox"/> Exhibit A is attached and made a part of this petition.		Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b). X _____ Signature of Attorney for Debtor(s) (Date)	
Exhibit C			
Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No.			
Exhibit D			
(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) <input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: <input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.			
Information Regarding the Debtor - Venue (Check any applicable box)			
<input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. <input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.			
Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes)			
<input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) <div style="text-align: center;"> _____ (Name of landlord that obtained judgment) </div> <div style="text-align: center;"> _____ (Address of landlord) </div>			
<input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and <input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. <input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).			

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Voluntary Petition*(This page must be completed and filed in every case)*

Name of Debtor(s):

Fayetteville Marketfair Investors, LLC**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X _____
Signature of Debtor

X _____
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X _____
Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

X _____
Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

Signature of Attorney*

X /s/ Bill Janvier
Signature of Attorney for Debtor(s)

Bill Janvier 21136

Printed Name of Attorney for Debtor(s)

Everett, Gaskins, Hancock & Stevens

Firm Name

**127 West Hargett St.
Suite 600
Raleigh, NC 27601**

Address

(919) 755-0025 Fax: (919) 755-0009

Telephone Number

December 14, 2009

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ Stephan Johansson
Signature of Authorized Individual

Stephan Johansson

Printed Name of Authorized Individual

Member

Title of Authorized Individual

December 14, 2009

Date

B4 (Official Form 4) (12/07)

United States Bankruptcy Court
Eastern District of North Carolina

In re **Fayetteville Marketfair Investors, LLC**

Debtor(s)

Case No.

Chapter **11**

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
All American Heat & AC Service PO Box 223 Fayetteville, NC 28302	All American Heat & AC Service PO Box 223 Fayetteville, NC 28302			438.00
Bass Air Conditioning 3261 Natal Rd. Fayetteville, NC 28306	Bass Air Conditioning 3261 Natal Rd. Fayetteville, NC 28306			234.00
Berkowitz Dick Pollack & Brant 200 S. Biscayne Blvd, 7th Floor Miami, FL 33131	Berkowitz Dick Pollack & Brant 200 S. Biscayne Blvd, 7th Floor Miami, FL 33131			19,766.92
Cape Fear Commercial Lawn Service & Land PO Box 9657 Fayetteville, NC 28311	Cape Fear Commercial Lawn Service & Land PO Box 9657 Fayetteville, NC 28311			5,105.00
Capmark Finance, Inc. PO Box 93330 Chicago, IL 60673	Capmark Finance, Inc. PO Box 93330 Chicago, IL 60673			13,650,000.00 (0.00 secured)
Capmark Finance, Inc. PO Box 93330 Chicago, IL 60673	Capmark Finance, Inc. PO Box 93330 Chicago, IL 60673			5,881,695.00 (0.00 secured)
Capmark Finance, Inc. PO Box 93330 Chicago, IL 60673	Capmark Finance, Inc. PO Box 93330 Chicago, IL 60673			515,746.00 (0.00 secured)
Capmark Finance, Inc. PO Box 93330 Chicago, IL 60673	Capmark Finance, Inc. PO Box 93330 Chicago, IL 60673			257,040.00 (0.00 secured)
Haire Plumbing PO Box 58147 Fayetteville, NC 28305	Haire Plumbing PO Box 58147 Fayetteville, NC 28305			157.00
Image Supply PO Box 1108 Lumberton, NC 28359	Image Supply PO Box 1108 Lumberton, NC 28359			230.04
Infinity Fire Protections PO Box 14128 Raleigh, NC 27620	Infinity Fire Protections PO Box 14128 Raleigh, NC 27620			9,720.50

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In re **Fayetteville Marketfair Investors, LLC**

Case No. _____

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
It's Fashion PO Box 34216 Charlotte, NC 28234	It's Fashion PO Box 34216 Charlotte, NC 28234			814.82
JDM Roofing 2503 Camden Road Fayetteville, NC 28306	JDM Roofing 2503 Camden Road Fayetteville, NC 28306			2,420.20
Joe Parker Electric 807 W Mountain Drive Fayetteville, NC 28306	Joe Parker Electric 807 W Mountain Drive Fayetteville, NC 28306			160.00
Norman Weider, Esq. 200 S. Biscayne Blvd, St 700 Miami, FL 33131	Norman Weider, Esq. 200 S. Biscayne Blvd, St 700 Miami, FL 33131			6,020.00
Orkin Pest Control 2933 Damascus Rd Fayetteville, NC 28303	Orkin Pest Control 2933 Damascus Rd Fayetteville, NC 28303			57.39
Securitas Security Svc PO Box 403412 Atlanta, GA 30384	Securitas Security Svc PO Box 403412 Atlanta, GA 30384			10,900.20
Stearns Weaver 150 W Flagler Street, Suite 2200 Miami, FL 33130	Stearns Weaver 150 W Flagler Street, Suite 2200 Miami, FL 33130			6,859.35
Winstead Wilkinson 600 Wade Avenue Raleigh, NC 27605	Winstead Wilkinson 600 Wade Avenue Raleigh, NC 27605			287.50

**DECLARATION UNDER PENALTY OF PERJURY
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the Member of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date **December 14, 2009**Signature **/s/ Stephan Johansson****Stephan Johansson**
Member

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.

United States Bankruptcy Court
Eastern District of North Carolina

In re **Fayetteville Marketfair Investors, LLC**,
 Debtor

Case No. _____

Chapter **11**

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with Rule 1007(a)(3) for filing in this chapter 11 case.

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
BDPB Fayetteville 200 S Biscayne Blvd. 7th Floor Miami, FL 33131			
Gulfside FV LLC 6100 SW 76th Street Miami, FL 33143			
Jackson Ward 6100 SW 76th Street Miami, FL 33143			
Stephan Johansson 6100 SW 76th Street Miami, FL 33143			

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the Member of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date **December 14, 2009**

Signature **/s/ Stephan Johansson**
Stephan Johansson
Member

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
 18 U.S.C §§ 152 and 3571.

**United States Bankruptcy Court
Eastern District of North Carolina**

In re **Fayetteville Marketfair Investors, LLC**

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the Member of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **December 14, 2009****/s/ Stephan Johansson****Stephan Johansson/Member**

Signer/Title

Albert L. Sneed, Jr.
11 N. Market St.
Asheville, NC 28801

GMAC Commercial Mortgage Bank
6955 Union Park Center
Suite 303
Midvale, UT 84047

JDM Roofing
2503 Camden Road
Fayetteville, NC 28306

All American Heat & AC Service
PO Box 223
Fayetteville, NC 28302

Gulfpro Management, Inc.
6100 SW 76 Street
South Miami, FL 33143

Joe Parker Electric
807 W Mountain Drive
Fayetteville, NC 28306

Bass Air Conditioning
3261 Natal Rd.
Fayetteville, NC 28306

Gulfside FV, LLC (Manager)
6100 SW 76 Street
South Miami, FL 33143

MCI
PO Box 371838
Pittsburg, PA 15250

Berkowitz Dick Pollack & Brant
200 S. Biscayne Blvd, 7th Floor
Miami, FL 33131

Haire Plumbing
PO Box 58147
Fayetteville, NC 28305

Name
Address1
CityStZip

Cape Fear Commercial Lawn Service & Land
PO Box 9657
Fayetteville, NC 28311

Henry C. Howes, Jr.
Kilpatrick Stockton
214 N. Tryon St.; Suite 2500
Charlotte, NC 28202

Norman S. Weider
100 SE 2nd Street
Suite 3950
Miami, FL 33131

Capmark Finance, Inc.
PO Box 93330
Chicago, IL 60673

Image Supply
PO Box 1108
Lumberton, NC 28359

Norman Weider, Esq.
200 S. Biscayne Blvd, St 700
Miami, FL 33131

CentruyLink
PO Box 2198008
Kansas City, MO 64121

Infinity Fire Protections
PO Box 14128
Raleigh, NC 27620

Orkin Pest Control
2933 Damascus Rd
Fayetteville, NC 28303

CentruyLink
PO Box 96064
Charlotte, NC 28296

It's Fashion
PO Box 34216
Charlotte, NC 28234

Public Works Commission
201 Hay Street
Fayetteville, NC 28302

Faison & Associates, LLC
121 West Trade Street
27th Floor
Charlotte, NC 28202

Jackson Ward (Class C)
6100 SW 76 Street
South Miami, FL 33143

Securitas Security Svc
PO Box 403412
Atlanta, GA 30384

SH Design
6100 SW 76 Street
South Miami, FL 33143

Stearns Weaver
150 W Flagler Street, Suite 2200
Miami, FL 33130

Stefan Johansson (Class C)
6100 SW 76 Street
South Miami, FL 33143

Winstead Wilkinson
600 Wade Avenue
Raleigh, NC 27605